



UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

January 2024 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDUARDO VICENTE PELAYO  
RODRIGUEZ,

Defendant.

CR No. 5:24-CR-00128-JGB

I N D I C T M E N T

[18 U.S.C. §§ 2261A(2) (B),  
2261(b) (5): Stalking; 18 U.S.C.  
§ 875(c): Threats; 18 U.S.C.  
§ 844(e): Threats and False  
Information Regarding Fire and  
Explosives; 18 U.S.C.  
§ 1038(a) (1): False Information  
and Hoaxes]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. §§ 2261A(2) (B), 2261(b) (5)]

1. Beginning on or about January 18, 2023, and continuing to  
on or about February 8, 2023, in Riverside County, within the Central  
District of California, and elsewhere, defendant EDUARDO VICENTE  
PELAYO RODRIGUEZ ("RODRIGUEZ"), with the intent to harass and  
intimidate Victim D.M., used an interactive computer service, an  
electronic communication service, an electronic communication system  
of interstate commerce, and other facilities of interstate and  
foreign commerce, namely, interstate wires and the Internet, to

1 engage in a course of conduct, described in paragraph 2 below, that  
2 caused, attempted to cause, and would reasonably be expected to cause  
3 substantial emotional distress to Victim D.M.

4 2. Defendant RODRIGUEZ's course of conduct included, among  
5 other things, the following:

6 a. On or about January 18, 2023, defendant RODRIGUEZ  
7 called a suicide prevention center, gave information consistent with  
8 the identity of Victim D.M. as the individual calling, and stated in  
9 substance, among other things, that his daughter had been raped.

10 b. On or about January 22, 2023, defendant RODRIGUEZ  
11 called a suicide prevention center and stated in substance, among  
12 other things, that his name was Victim D.M.'s name and he had drunk a  
13 dangerous substance.

14 c. On or about January 23, 2023, defendant RODRIGUEZ  
15 called a veterans crisis line and stated in substance, among other  
16 things, that his name was Victim D.M.'s name, gave other information  
17 consistent with the identity of Victim D.M., and stated that his  
18 daughters had been raped and that he wanted to kill himself. He  
19 further stated that he was holding a gun and drinking to kill  
20 himself.

21 d. On or about January 23, 2023, defendant RODRIGUEZ  
22 called a suicide prevention center, gave information consistent with  
23 the identity of Victim D.M. as the individual calling, and stated,  
24 among other things, that he wanted to kill himself, that he had a gun  
25 next to him, as well as a kitchen knife, and that he wanted to cut  
26 his vein.

27 //

28 //

1 e. On or about January 23, 2023, defendant RODRIGUEZ  
2 called a veterans crisis line and stated in substance, among other  
3 things, that his name was Victim D.M.'s name, that he wanted to kill  
4 himself, that he had a gun to his forehead, and that he had cut his  
5 veins with a knife. He further stated that he was holding a gun and  
6 drinking to kill himself.

7 f. On or about February 5, 2023, defendant RODRIGUEZ  
8 called a veterans crisis line and stated in substance, among other  
9 things, that his name was Victim D.M.'s name, gave information  
10 consistent with the identity of Victim D.M. as the individual  
11 calling, claimed that he had raped his daughter and she was currently  
12 tied up, and that he wanted to kill himself and his daughters.

13 g. On or about February 6, 2023, defendant RODRIGUEZ  
14 called an elementary school in Riverside County, California ("School  
15 A"), and stated in substance, among other things, that his name was  
16 Victim D.M.'s name, and that he was the next mass shooter of 2023.

17 h. On or about February 8, 2023, defendant RODRIGUEZ  
18 called an elementary school in Riverside County, California ("School  
19 B"), and stated in substance, among other things, that his name was  
20 Victim D.M.'s name and that he was the next mass shooter of 2023.

21 i. On or about February 8, 2023, defendant RODRIGUEZ  
22 called an elementary school in San Bernardino County, California  
23 ("School C"), and stated in substance, among other things, that his  
24 name was Victim D.M.'s name, he was on the way to shoot up the  
25 school, he would be there in ten minutes, he was the new mass shooter  
26 of 2023, and they were going to pay.

27 j. On or about February 8, 2023, defendant RODRIGUEZ  
28 called an elementary school in Riverside County, California ("School

1 D"), and stated in substance, among other things, that his name was  
2 Victim D.M.'s name and he had planted bombs at the school.

3 k. On or about February 8, 2023, defendant RODRIGUEZ  
4 called a high school in Riverside County, California ("School E"),  
5 and stated in substance, among other things, that his son's name was  
6 Victim D.M.'s name, his gun was missing, and his son had bullets.

7 l. On or about February 8, 2023, defendant RODRIGUEZ  
8 called a high school in San Bernardino County, California ("School  
9 F"), and stated in substance, among other things, that his name was  
10 Victim D.M.'s name, he was the next school mass shooter of 2023, and  
11 they were all going to die.

12 m. On or about February 8, 2023, defendant RODRIGUEZ  
13 called an elementary school in Sandy Hook, Connecticut ("School G"),  
14 and stated in substance, among other things, that his name was Victim  
15 D.M.'s name, he was the next mass shooter of 2023, all the first  
16 graders and kindergarteners were going to die tomorrow, and that he  
17 had "put bombs."

18 n. On or about February 8, 2023, defendant RODRIGUEZ  
19 called Nashville International Airport, in Nashville, Tennessee, and  
20 stated in substance, among other things, that his name was Victim  
21 D.M.'s name and he had planted a bomb on a plane and at the airport.  
22 He further stated, "this is for ISIS" and "one hour, boom."

COUNT TWO

[18 U.S.C. § 875(c)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ"), with intent to issue a threat, and with knowledge and reckless disregard that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce a communication that contained a true threat to injure the person of another, that is, a call made to an elementary school in Riverside County, California ("School B"), using Voice over Internet Protocol, in which defendant RODRIGUEZ stated in substance that his name was Victim D.M.'s name and that he was the next mass shooter of 2023.

COUNT THREE

[18 U.S.C. § 1038(a)(1)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ") knowingly engaged in conduct with intent to convey false and misleading information, under circumstances where such information may reasonably have been believed, that indicated that an activity had taken, was taking, and would take place that would constitute a violation of Title 18, United States Code, Section 922(q)(2), Possession of a Firearm in a School Zone. Specifically, defendant RODRIGUEZ used Voice over Internet Protocol to call an elementary school in Riverside County, California ("School B"), and stated in substance that his name was Victim D.M.'s name and that he was the next mass shooter of 2023.

COUNT FOUR

[18 U.S.C. § 875(c)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ"), with intent to issue a threat, and with knowledge and reckless disregard that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce a communication that contained a true threat to injure the person of another, that is, a call made to an elementary school in Riverside County, California ("School H"), using Voice over Internet Protocol, in which defendant RODRIGUEZ stated in substance that there was going to be a mass shooting in five minutes and the person who answered the call was going to die.

COUNT FIVE

[18 U.S.C. § 1038(a)(1)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ") knowingly engaged in conduct with intent to convey false and misleading information, under circumstances where such information may reasonably have been believed, that indicated that an activity had taken, was taking, and would take place that would constitute a violation of Title 18, United States Code, Section 922(q)(2), Possession of a Firearm in a School Zone. Specifically, defendant RODRIGUEZ used Voice over Internet Protocol to call an elementary school in Riverside County, California ("School H"), and stated in substance that there was going to be a mass shooting in five minutes and the person who answered the call was going to die.



COUNT SIX

[18 U.S.C. § 875(c)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ"), with intent to issue a threat, and with knowledge and reckless disregard that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce a communication that contained a true threat to injure the person of another, that is, a call made to an elementary school in San Bernardino County, California ("School C"), using Voice over Internet Protocol, in which defendant RODRIGUEZ stated in substance that his name was Victim D.M.'s name, he was on the way to shoot up the school, he would be there in ten minutes, he was the new mass shooter of 2023, and they were going to pay.

COUNT SEVEN

[18 U.S.C. § 1038(a)(1)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ") knowingly engaged in conduct with intent to convey false and misleading information, under circumstances where such information may reasonably have been believed, that indicated that an activity had taken, was taking, and would take place that would constitute a violation of Title 18, United States Code, Section 922(q)(2), Possession of a Firearm in a School Zone. Specifically, defendant RODRIGUEZ used Voice over Internet Protocol to call an elementary school in San Bernardino County, California ("School C"), and stated in substance that his name was Victim D.M.'s name, he was on the way to shoot up the school, he would be there in ten minutes, he was the new mass shooter of 2023, and they were going to pay.

COUNT EIGHT

[18 U.S.C. § 875(c)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ"), with intent to issue a threat, and with knowledge and reckless disregard that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce a communication that contained a true threat to injure the person of another, that is, a call made to an elementary school in Riverside County, California ("School D"), using Voice over Internet Protocol, in which defendant RODRIGUEZ stated in substance that his name was Victim D.M.'s name and he had planted bombs at the school.

COUNT NINE

[18 U.S.C. § 844(e)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ"), through the use of an instrument of interstate and foreign commerce, and in and affecting interstate and foreign commerce, willfully made a threat and maliciously conveyed false information knowing the same to be false, concerning an attempt and alleged attempt being made, and to be made, to kill, injure, and intimidate an individual, and unlawfully damage and destroy a building and other real and personal property, by means of an explosive. Specifically, defendant RODRIGUEZ used Voice over Internet Protocol to call an elementary school in Riverside County, California ("School D"), and stated in substance that his name was Victim D.M.'s name and he had planted bombs at the school.

COUNT TEN

[18 U.S.C. § 1038(a)(1)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ") knowingly engaged in conduct with intent to convey false and misleading information, under circumstances where such information may reasonably have been believed, that indicated that an activity had taken, was taking, and would take place that would constitute a violation of Title 18, United States Code, Section 2332a(a)(2), Use of a Weapon of Mass Destruction. Specifically, defendant RODRIGUEZ used Voice over Internet Protocol to call an elementary school in Riverside County, California ("School D"), and stated in substance that his name was Victim D.M.'s name and he had planted bombs at the school.

COUNT ELEVEN

[18 U.S.C. § 875(c)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ"), with intent to issue a threat, and with knowledge and reckless disregard that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce a communication that contained a true threat to injure the person of another, that is, a call made to a high school in San Bernardino County, California ("School F"), using Voice over Internet Protocol, in which defendant RODRIGUEZ stated in substance that his name was Victim D.M.'s name, he was the next school mass shooter of 2023, and they were all going to die.

COUNT TWELVE

[18 U.S.C. § 1038(a)(1)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ") knowingly engaged in conduct with intent to convey false and misleading information, under circumstances where such information may reasonably have been believed, that indicated that an activity had taken, was taking, and would take place that would constitute a violation of Title 18, United States Code, Section 922(q)(2), Possession of a Firearm in a School Zone. Specifically, defendant RODRIGUEZ used Voice over Internet Protocol to call a high school in San Bernardino County, California ("School F"), and stated in substance that his name was Victim D.M.'s name, he was the next school mass shooter of 2023, and they were all going to die.

COUNT THIRTEEN

[18 U.S.C. § 875(c)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ"), with intent to issue a threat, and with knowledge and reckless disregard that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce a communication that contained a true threat to injure the person of another, that is, a call made to an elementary school in Sandy Hook, Connecticut ("School G"), using Voice over Internet Protocol, in which defendant RODRIGUEZ stated in substance that his name was Victim D.M.'s name, he was the next mass shooter of 2023, all the first graders and kindergarteners were going to die tomorrow, and that he had "put bombs."



COUNT FOURTEEN

[18 U.S.C. § 844(e)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ"), through the use of an instrument of interstate and foreign commerce, and in and affecting interstate and foreign commerce, willfully made a threat and maliciously conveyed false information knowing the same to be false, concerning an attempt and alleged attempt being made, and to be made, to kill, injure, and intimidate an individual, and unlawfully damage and destroy a building and other real and personal property, by means of an explosive. Specifically, defendant RODRIGUEZ used Voice over Internet Protocol to call an elementary school in Sandy Hook, Connecticut ("School G"), and stated in substance that his name was Victim D.M.'s name, he was the next mass shooter of 2023, all the first graders and kindergarteners were going to die tomorrow, and that he had "put bombs."

COUNT FIFTEEN

[18 U.S.C. § 1038(a)(1)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ") knowingly engaged in conduct with intent to convey false and misleading information, under circumstances where such information may reasonably have been believed, that indicated that an activity had taken, was taking, and would take place that would constitute a violation of Title 18, United States Code, Section 2332a(a)(2), Use of a Weapon of Mass Destruction; and Title 18, United States Code, Section 922(q)(2), Possession of a Firearm in a School Zone. Specifically, defendant RODRIGUEZ used Voice over Internet Protocol to call an elementary school in Sandy Hook, Connecticut ("School G"), and stated in substance that his name was Victim D.M.'s name, he was the next mass shooter of 2023, all the first graders and kindergarteners are going to die tomorrow, and that he "put bombs."

COUNT SIXTEEN

[18 U.S.C. § 875(c)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ"), with intent to issue a threat, and with knowledge and reckless disregard that it would be viewed as a threat, knowingly transmitted in interstate and foreign commerce a communication that contained a true threat to injure the person of another, that is, a call made to Nashville International Airport, in Nashville, Tennessee, using Voice over Internet Protocol, in which defendant RODRIGUEZ stated in substance that his name was Victim D.M.'s name and he had planted a bomb on a plane and at the airport. He further stated, "this is for ISIS" and "one hour, boom."

COUNT SEVENTEEN

[18 U.S.C. § 844(e)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ"), through the use of an instrument of interstate and foreign commerce, and in and affecting interstate and foreign commerce, willfully made a threat and maliciously conveyed false information knowing the same to be false, concerning an attempt and alleged attempt being made, and to be made, to kill, injure, and intimidate an individual, and unlawfully damage and destroy a building and other real and personal property, by means of an explosive. Specifically, defendant RODRIGUEZ used Voice over Internet Protocol to call Nashville International Airport, in Nashville, Tennessee, and stated in substance that his name was Victim D.M.'s name and he had planted a bomb on a plane and at the airport. He further stated, "this is for ISIS" and "one hour, boom."

COUNT EIGHTEEN

[18 U.S.C. § 1038(a)(1)]

On or about February 8, 2023, in Riverside County, within the Central District of California, and elsewhere, defendant EDUARDO VICENTE PELAYO RODRIGUEZ ("RODRIGUEZ") knowingly engaged in conduct with intent to convey false and misleading information, under circumstances where such information may reasonably have been believed, that indicated that an activity had taken, was taking, and would take place that would constitute a violation of Title 18, United States Code, Section 37, Violence at International Airports; and Title 18, United States Code, Section 2332a(a)(2), Use of a Weapon of Mass Destruction. Specifically, defendant RODRIGUEZ used Voice over Internet Protocol to call Nashville International Airport, in Nashville, Tennessee, and stated in substance that his name was

//

//

Victim D.M.'s name and he had planted a bomb on a plane and at the airport. He further stated, "this is for ISIS" and "one hour, boom."

A TRUE BILL

/s/  
\_\_\_\_\_  
Foreperson

E. MARTIN ESTRADA  
United States Attorney



CAMERON L. SCHROEDER  
Assistant United States Attorney  
Chief, National Security Division

DAVID T. RYAN  
Assistant United States Attorney  
Chief, Terrorism and Export  
Crimes Section

JENNA W. LONG  
Assistant United States Attorney  
Terrorism and Export Crimes  
Section